United Nations S/2001/174

Security Council

Distr.: General
27 February 2001
English
Original: French

Letter dated 26 February 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to convey our most sincere congratulations on the successful meetings of the Security Council, held on 21 and 22 February 2001, with the participation of the Political Committee of the Lusaka Ceasefire Agreement.

My Government welcomes the unanimous adoption by the Security Council of resolution 1341 (2001) of 22 February 2001, in that it is an important step in accelerating the peace process in the Democratic Republic of the Congo and restoring the lasting peace that the Congolese people desire with all their hearts.

My Government assures you that it will fully respect the relevant provisions of Security Council resolution 1341 (2001) of 22 February 2001. In the interests of transparency, it would be grateful if you would have the disengagement and redeployment plan signed at Kampala on 8 April 2000, together with the disengagement and redeployment sub-plans adopted at Harare on 6 December 2000, circulated among the States Members of the United Nations to enable them to witness the sincere desire of all parties to implement them fully and effectively.

My Government takes this opportunity to reaffirm its position on the following critical issues:

1. Inter-Congolese dialogue

As an essential forum for the reconciliation of the Congolese people, the inter-Congolese dialogue must be protected from any outside interference. What is at stake is the sovereignty and political independence of the Democratic Republic of the Congo, which is in fact guaranteed by the Charter of the United Nations and reaffirmed by article III, paragraph 15, of the Lusaka Ceasefire Agreement. No link whatsoever may be established, therefore, between the inter-Congolese dialogue on the one hand, whose purpose is national reconciliation, and, on the other hand, the disengagement and orderly withdrawal of foreign troops, which are actions not only provided for in the Lusaka Ceasefire Agreement but also aimed, respectively, at the effective cessation of hostilities and the settlement of the conflict internationally.

My Government reaffirms its commitment to organizing an open dialogue under the aegis of the Facilitator, Sir Ketumile Masire, who has been invited to

01-26761 (E) 280201 280201

Kinshasa by Major General Joseph Kabila, President of the Democratic Republic of the Congo, to consider practical ways and means of improving the facilitation process.

My Government is also committed to pursuing the current consultations with all the *forces vives*, both within and outside the country, with the aim of holding the dialogue in the near future.

Just as the international community calls on the Democratic Republic of the Congo to move resolutely forward towards dialogue, it would be only fair that the international community should call on Rwanda, Burundi and Uganda to report on the progress each has made in establishing and consolidating a national consensus.

2. Disengagement

Any attempt by the parties to disengage otherwise than in accordance with the provisions of Security Council resolution 1341 of 22 February 2001 should be interpreted as an act of bad faith intended to interfere with the process and should be sanctioned under Articles 39 to 42 of the Charter of the United Nations.

3. Deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)

My Government shares the Political Committee's concerns about the new operational concept of MONUC, which provides for a phased deployment and a reduction in the number of United Nations troops. My Government reiterates, nonetheless, its willingness and commitment to cooperate closely with MONUC and provide the necessary security in accordance with the status-of-forces agreement.

My Government invites MONUC to become more involved in the monitoring of the disengagement process and to rapidly deploy its forces, without prejudice to the relevant provisions of Security Council resolution 1291 (2000) of 24 February 2000, to maintain the effectiveness of the cessation of hostilities.

4. Co-location of MONUC and the Joint Military Commission (JMC)

The co-location in Kinshasa has been decided at all levels of the Joint Military Commission (JMC) of the Political Committee, and at the highest level during the most recent Lusaka summit meeting.

My Government feels that the concern expressed by some parties in connection with the security of the members is not justifiable, since in the past Kinshasa has welcomed, in complete security, certain JMC members from the opposition party in Uganda and from the Rassemblement Congolais pour la démocratie (RCD)-Kisangani.

In any event, my Government has solemnly pledged to guarantee the safety of all members of JMC, in collaboration with MONUC.

5. Security concerns of neighbouring countries

My Government believes that it cannot be held responsible for the armed groups that have come from Rwanda following the internal arguments in that country.

Nevertheless, in demonstration of its good faith, my Government would remind the Council that it has already opened fruitful talks on this issue with neighbouring Burundi.

Following the meeting in Washington, D.C., between Their Excellencies President Kabila and President Kagame, my Government believes that the same approach could be envisaged, with the assistance of the international community, in order to tackle the issue of the former Rwandan armed forces members (ex-FAR) and the Interahamwe which Rwanda keeps bringing up as a pretext for the aggression.

My Government is, moreover, convinced that the deployment of MONUC forces along the common borders with Rwanda, starting with the towns of Goma and Bukavu, is an appropriate response to Rwanda's security problems and those of all countries in the region, including the Democratic Republic of the Congo, and can establish a climate of trust among all our countries.

6. Respect for human rights

On the basis of the reports of humanitarian organizations and that of the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo, my Government deplores, inter alia:

- All the violations of human rights and international humanitarian law, including the atrocities committed in the occupied provinces against the civilian population;
- The dramatic increase in the prevalence of HIV/AIDS among the Congolese inhabitants of the occupied provinces, which is a direct result of the aggression against the Democratic Republic of the Congo;
- The direct involvement of Uganda in the outbreak and continuation of inter-ethnic fighting between the Hema and the Lendu in Ituri, and the forced recruitment and deportation of Congolese children to Uganda.

7. Provision of humanitarian aid

My Government vehemently condemns any type of impediment to the free movement of humanitarian organizations bringing needed aid to the distressed populations in the occupied eastern part of the Democratic Republic of the Congo.

My Government reiterates its promise to cooperate unfailingly, to provide security and to allow free movement of humanitarian staff wherever there is need.

8. Kisangani

My Government would draw the Security Council's attention to the fact that, contrary to paragraph 3 of its resolution 1304 (2000) of 16 June 2000, and as is evident from paragraph 29 of the sixth report of the Secretary-General on the Democratic Republic of the Congo, the Ugandan and Rwandan forces and the forces of the so-called armed opposition have not withdrawn immediately and completely from Kisangani and are not respecting the demilitarization of the city and its environs.

What is more, paragraph 14 of that same resolution has not begun to be implemented. My Government asks the Security Council to insist that the Ugandan and Rwandan Governments make reparation for the loss of life and property damage they have inflicted on the civilian population not only of Kisangani, but of the entire Democratic Republic of the Congo as a result of their aggression, and to request the Secretary-General to submit to the Council an assessment of the damage caused throughout the Congolese territory as a basis for such reparations.

9. **Illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo**

My Government has already cooperated fully with the panel of experts investigating the illegal exploitation of natural and other resources of the Democratic Republic of the Congo in violation of its national sovereignty.

My Government encourages the aggressor countries to follow suit and expresses the hope that, should their responsibility be established, exemplary sanctions in keeping with the crime will be imposed on them by way of example.

My Government requests that you have this letter circulated as a document of the Security Council.

(*Signed*) Atoki **Ileka**
Chargé d'affaires a.i.
Minister Counsellor